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Paper No. 12

In re application of
Lester E. Cornelius et al.
Serial No. 09/783,520
Filed: February 15, 2001
For: TONER SEAL TEAR STRIP CONSTRUCTION

DECISION ON
PETITION

This is a decision on the PETITION TO WITHDRAW HOLDING OF ABANDONMENT, filed July 7, 2003, for failure to respond to the Office Action dated October 22, 2002. Applicants' assert that a timely response was filed, but admit that the incorrect serial number was placed on the submitted papers.

DECISION

This petition request is accepted as a petition under 37 C.F.R. 1.181 (no fee). A review of the petitioner's evidence provided with the instant petition indicates that the request does not have merit.

37 CFR 1.5 Identification of application, patent or registration.

(a) No correspondence relating to an application should be filed prior to receipt of the application number from the Patent and Trademark Office. When a letter directed to the Patent and Trademark Office concerns a previously filed application for a patent, it *must identify* on the top page in a conspicuous location, the application number (consisting of the series code and the serial number; e.g., 07/123,456), or the serial number and filing date assigned to that application by the Patent and Trademark Office, or the international application number of the international application.

It is assumed that when a paper is submitted to the Office, the information is correct. The US serial number is the primary indicator for all of the patent applications at the office, and also the papers to be matched with said cases.

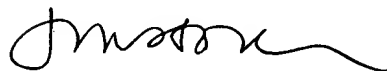
As admitted, the incorrect serial number was placed on the submitted documents.

Therefore, the holding of abandonment, set forth in the Notice of Abandonment of June 10, 2003 was proper and is maintained.

09/783, 520

The petition is **DENIED**.

Applicant is encouraged to file a Petition to Revive an Unintentional Abandoned Application.



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